

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BRANDON JOVAN HILL,

Petitioner

v.

THE STATE OF NEVADA,

Respondent.

Case No.: 2:23-cv-01221-GMN-MDC

Order Granting Motion to Seal

(ECF No. 17)

Respondents move for leave to file an exhibit *in camera* and under seal in Brandon Jovan Hill's *pro se* 28 U.S.C. § 2254 habeas proceedings. (ECF No. 17.) While there is a presumption favoring public access to judicial filings and documents, *see Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978), a party seeking to seal a judicial record may overcome the presumption by demonstrating "compelling reasons" that outweigh the public policies favoring disclosure, *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (citations omitted). In general, "compelling reasons" exist where the records may be used for improper purposes. *Id.* at 1179 (citing *Nixon*, 435 U.S. at 598). Here, Respondents ask to file Hill's presentence investigation report ("PSI") *in camera* and under seal because it is confidential under state law and for Hill's safety because it contains sensitive

1 information. (ECF No. 17.) The Court has reviewed the PSI and concludes that
2 Respondents have demonstrated compelling reasons to file the PSI under seal.
3 However, the PSI does not appear to include information that is so sensitive that it
4 would pose a security threat to Petitioner if he had a copy of the PSI in his cell.
5 Respondents note that the PSI may be necessary to address some of Hill's claims.
6 Thus, Petitioner may need access to the PSI. Accordingly, the motion is granted in part,
7 and the PSI will remain under seal.

8 It is therefore ordered that Respondents' Motion for Leave to File an Exhibit *In*
9 *Camera* and Under Seal (**ECF No. 17**) is **GRANTED in part**. The document will remain
10 under seal.

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13 DATED: 4 March 2025.

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16 GLORIA M. NAVARRO
17 UNITED STATES DISTRICT JUDGE
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